



HOUSE OF REPRESENTATIVES
ALABAMA STATE HOUSE
MONTGOMERY, ALABAMA 36130

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COMMITTEES:
ELECTIONS
AGRICULTURE, FORESTRY AND
NATURAL RESOURCES
LOCAL LEGISLATION

April 22, 1999

Dockets Management Branch
FDA
5630 Fishers Lane
Room 1601
Rockville, MD 20852

Dear FDA:

I am writing today to express my strong objection to costly and unnecessary rules, which you have been asked to consider by the Center for Science in the Public Interest.

As a state representative, I have represented the oyster industry for many years and understand the difficulties faced by farmers, processors and others who rely on shellfish. The economic damage inflicted upon these people by the proposed rules will be tremendous.

Most people in this industry own small operations with little financial stability and few cash reserves. Forcing them to comply with mandatory treatment will drive many out of the business altogether and greatly reduce their limited profits even further. Simply stated, they cannot afford the costly equipment or absorb the lower consumer demand that will result from treated oysters.

Consumers should have a choice between treated oysters and fresh oysters. The small number of people who may be at risk should heed the ample health warnings available where fresh oysters are sold and assume their own level of personal responsibility.

The Alabama Department of Public Health has always worked with FDA in providing necessary inspections and closings of the water when it was thought to be contaminated, and certainly has always put the public interest first and foremost. This rule would cause much hardship to the small business operators.

I urge FDA to reject these crippling rules and to allow other appropriate independent state and national bodies such as ISSC to continue their educational and oversight activities as they have in the past.

Sincerely,

A handwritten signature in cursive script that reads "Walter Penry".

Walter Penry

WP:hwj

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COALITION FOR CONSUMER CHOICE

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TO: FDA/Dockets Management Branch - Room 1601

FROM: Alabama House of REpresentatives

DATE: 4/23/99

PAGES: 2, including cover

RE: oyster/shellfish ruling